

*State of New Mexico*  
***Environmental Improvement Board***

*Harold Runnels Building, Room N-4075*

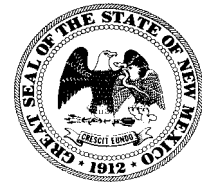
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Gary E. Johnson  
Governor

STATE OF NEW MEXICO  
ENVIRONMENTAL IMPROVEMENT BOARD  
MINUTES OF THE REGULAR MEETING OF  
April 14, 2000

Chairperson Gadzia called the regular meeting of the Environmental Improvement Board (EIB) to order on April 14, 2000, at the State Capitol Building, Room 317, Corner of Paseo de Peralta and Old Santa Fe Trail, Santa Fe, New Mexico.

**Members Present**

Jimi Gadzia, Chair  
Hilary Noskin, Vice-Chair  
David Salopek, Secretary  
Kevin Sweazea, Member

**Members Absent**

Laurence Lattman, Member

**also present were:**

Patrick Simpson, EIB Counsel  
Tammy Lakes, EIB Secretary  
Ron Courts, City of Roswell  
Elizabeth Rose, DOE  
Beth Ward, DOE  
Herbert "Jody" Lester, DOE/CAO  
Dave Paulicle, Giant Industries  
Louis Rose, Montgomery & Andrews  
Robert Dinwiddie, NMED  
William P. Moats, NMED

Bill Westmoreland, Intel  
Jim Casciano, Intel  
Debbie Brinkerhoff, NMED  
Dave Cobrain, NMED  
Connie Pasteris, NMED  
Carl Will, NMED  
A Barr, LANL  
Greg Lewis, NMED  
Steve Pullen, NMED  
Stephanie Kause, NMED

**Item 1 - Approval of the Agenda.**

Kevin Sweazea, moved to approve the agenda. David Salopek, seconded the motion. The motion passed unanimously.

**Item 2 - Approval of the Minutes of the March 10, 2000 meeting.**

Dr. Noskin moved to approve the minutes. Mr. Sweazea seconded the motion. The motion passed unanimously.

**Item 3 – Setting of hearing – EIB 00-05 – Navajo Refining Company’s petition for hearing regarding permit No. 195-M-12**

Mr. Louis Rose, Counsel for Navajo Refining Company (Navajo), stated that the company’s petition has been withdrawn and Navajo is no longer requesting a hearing. A clarification letter from the New Mexico Environment Department (NMED) is attached to the petition.

**Item 4 – Setting of hearing – EIB 00-06 – South West Organizing Project’s petition for hearing regarding permit No. 325-M-9**

Doug Mieklejohn, Counsel for South West Organizing Project (SWOP), stated that Intel has filed a motion for leave to file a response to the petition, and SWOP does not object to that motion. SWOP would prefer that Intel’s response be filed within the same time period that is allowed for the Department’s response to the petition. Mr. Mieklejohn stated that Doug Wolf would be lead Counsel in this matter.

Mr. Sweazea moved to re-schedule the regular June meeting from the 9<sup>th</sup> to the 14<sup>th</sup>. Mr. Salopek seconded the motion. The motion passed unanimously.

Mr. Sweazea moved to schedule South West Organizing Project’s petition for hearing on Permit No. 325-M-9 in Albuquerque, New Mexico, on June 14, 2000, and to continue on June 15<sup>th</sup> and 16<sup>th</sup>, if necessary. Mr. Salopek seconded the motion. The motion passed unanimously.

**Item 5 – Pre-hearing conference EIB 97-07 – Application for Air Quality permit No. 195-M-10**

Mr. Louis Rose, Montgomery & Andrews stated that Navajo Refining Company and the NMED has submitted a stipulated motion to vacate the May 12, 2000 hearing. The parties have agreed to discuss further settlement and to discuss other pending matters that are related to the appeal. In the stipulated motion it allows for 120 days to resolve all matters. The parties have also asked for a stay of proceedings so that responses to the parties’ motions do not have to be dealt with during settlement discussions. Both sides are committed to resolving all problems.

Mr. Sweazea moved to approve the Stipulated Motion to Stay Proceedings. Mr. Salopek seconded the motion.

**VOTE**

Jimi Gadzia	Yes
Hilary Noskin	Yes
Kevin Sweazea	Yes
David Salopek	Yes
Laurence Lattman	Absent

The motion carries.

**Item 6 – Hearing – EIB 00-01 – NMED’s proposed changes to 20 NMAC 4.1 – Hazardous Waste Regulations**

Mr. Sweazea moved to approve the proposed changes to 20 NMAC 4.1 – Hazardous Waste Regulations. Mr. Salopek seconded the motion.

**VOTE**

Jimi Gadzia	Yes
Hilary Noskin	Yes
David Salopek	Yes
Kevin Sweazea	Yes
Laurence Lattman	Absent

The motion carries.

The hearing transcript may be reviewed in the office of the Board Administrator, 1190 St. Francis Drive, Room N-4075, Santa Fe, New Mexico. A copy may be purchased by contacting Kathy Townsend Court Reporters, 110 12<sup>th</sup> Street, NW, Albuquerque, New Mexico 87102.

**Item 7 – Other Business**

There was no other business to discuss.

**Item 8 – Next Meeting**

The next meeting is scheduled for May 12, 2000.

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Jimi Gadzia, Chair

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David Salopek, Secretary